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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,086	12/31/2003	Richard H. Hinkson	H0005941-0555	1897

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EXAMINER

GARY, ERIKA A

ART UNIT

PAPER NUMBER

2681

DATE MAILED: 12/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/750,086

Applicant(s)

HINKSON, RICHARD H.

Examiner

Erika A. Gary

Art Unit

2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/31/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-59 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-59 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/31/03 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 8 is objected to because of the following informalities: it should depend from claim 7, not claim 2. Appropriate correction is required.

Claim 10 is objected to because of the following informalities: it should depend from claim 9, not claim 3. Appropriate correction is required.

Claim 28 is objected to because of the following informalities: it should depend from claim 27, not claim 22. Appropriate correction is required.

Claim 30 is objected to because of the following informalities: it should depend from claim 29, not claim 23. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 21 recites the limitation "said first RF transceiver" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claims 26, 27, 31, 34, 36, 44, 47, and 50 recites the limitation "said security panel" in the respective claims. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 5-11, 14-16, 18, 21, 25-31, 34-36, 38, 49, 52, and 56-59 are rejected under 35 U.S.C. 102(e) as being anticipated by Thrasher, US Patent Application Number 2004/0176142 (hereinafter Thrasher).

Regarding claims 1, 21, and 52, Thrasher discloses a system (and method) to assist the user of a wired phone which comprises: a security panel that includes means for connection to an associated phone line, a caller ID receiver and an RF transmitter, said caller ID receiver cooperating with the associated phone line and said RF transmitter cooperating with said caller ID receiver to transmit caller ID information, and a bracelet to be worn by an associated user that includes an RF receiver, said RF receiver cooperating with said RF transmitter to access information provided by said RF transmitter, said bracelet further including a display cooperating with said RF receiver to indicate to the user information regarding an incoming call on the associated phone line [fig. 1; paragraphs 0030-0034].

Regarding claims 5, 6, 14, 15, 25, 26, 34, 35, 56, and 57, Thrasher teaches that the caller ID information can be broadcast through audio [paragraph 0036].

Regarding claims 7, 9, 27, 29, and 58, Thrasher teaches a microprocessor [fig. 2: ref. 220].

Regarding claims 8, 10, 28, 30, and 59, Thrasher teaches the microprocessor formats messages to the RF transmitter [fig. 2: ref. 220].

Regarding claims 11, 16, 31, and 36 it is inherent that the bracelet would include pushbuttons to produce a predetermined output.

Regarding claims 18, 38, and 49, Thrasher teaches the caller ID receiver includes a caller ID receiver circuit [paragraph 0031].

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2, 3, 22, 23, 53, and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thrasher.

What Thrasher does not specifically disclose is that the RF transmitter and RF receiver are transceivers. However, the Examiner takes Official Notice that it is well known in the art to incorporate transceivers instead of transmitters or receivers. It would have been obvious to one of ordinary skill in the art to include this feature. The motivation for this modification would have been to provide for more operability by allowing two-way communication.

8. Claims 12, 13, 17, 19, 20, 32, 33, 37, 38, 39, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thrasher.

What Thrasher does not specifically teach is using the bracelet device to answer the call or send a predetermined message to the calling party. However, the Examiner takes Official Notice that these features are well known in the art. It would have been obvious to one of ordinary skill in the art to include these features. The motivation for this modification would have been to provide a means for the user not to miss important calls.

9. Claims 4, 24, 41-48, 50 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thrasher in view of Dowling, US Patent Application Publication Number 2005/019190 (hereinafter Dowling).

Regarding claims 4, 24, 41, 42, and 55 Thrasher discloses a system to assist the user of a wired phone which comprises: means for connection to an associated phone line, a caller ID receiver and an RF transmitter, said caller ID receiver cooperating with the associated phone line and said RF transmitter cooperating with said caller ID receiver to transmit caller ID information, and a bracelet to be worn by an associated user that includes an RF receiver, said RF receiver cooperating with said RF transmitter to access information provided by said RF transmitter, said bracelet further including a display cooperating with said RF receiver to indicate to the user information regarding an incoming call on the associated phone line [fig. 1; paragraphs 0030-0034].

What Thrasher does not specifically disclose is that the bracelet includes a vibrating alert to produce a vibration stimulus when the RF receiver receives a signal from the RF transmitter. However, Dowling teaches this limitation [0015, 0017, 0032].

Further regarding claims 41 and 42, the Examiner takes Official Notice that it is well known in the art to incorporate transceivers instead of transmitters or receivers. It would have been obvious to one of ordinary skill in the art to include this feature. The motivation for this modification would have been to provide for more operability by allowing two-way communication.

Thrasher and Dowling are combinable because they are from the same field of endeavor, that is, remote caller identification alerting. At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify Thrasher to include Dowling. The motivation for this modification would have been to provide additional means to get the user's attention to notify them of an incoming call.

Regarding claim 43, Thrasher teaches the microprocessor formats messages to the RF transmitter [fig. 2: ref. 220].

Regarding claims 44 and 47, it is inherent that the bracelet would include pushbuttons to produce a predetermined output.

Regarding claims 45, 46, 48, and 51 Thrasher does not specifically teach using the bracelet device to answer the call or send a predetermined message to the calling party. However, the Examiner takes Official Notice that these features are well known in the art. It would have been obvious to one of ordinary skill in the art to include these

features. The motivation for this modification would have been to provide a means for the user not to miss important calls.

Regarding claim 50, Thrasher teaches that the caller ID information can be broadcast through audio [paragraph 0036].

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yeh et al., US Patent Application Publication Number 2004/0052341, disclose a system for automatic notification of caller ID.

Kita, US Patent Number 6,263,218, discloses an incoming calling system.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erika A. Gary whose telephone number is 571-272-7841. The examiner can normally be reached on Monday-Thursday and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2681

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EAG
November 30, 2005


ERIKA A. GARY
PRIMARY EXAMINER